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7 **UNITED STATES DISTRICT COURT**
8 **SOUTHERN DISTRICT OF CALIFORNIA**
9 **SAN DIEGO DIVISION**

10 M.M.M., on behalf of his minor child,
11 J.M.A., et al.,

Case No. 3:18-cv-1832-DMS

12 Plaintiffs,

13 v.
14 Jefferson Beauregard Sessions, III,
15 Attorney General of the United States,
et al.,

16 Defendant.

17 Ms. L, et al.,

Case No. 3:18-cv-428-DMS

19 Plaintiff,

ORDER

20 v.
21 U.S. Immigration and Customs
22 Enforcement, *et al.*,

23 Defendant.

24 **ORDER**

25
26 UPON CONSIDERATION of the Parties Joint Motion to Amend July 8, 2018
27 Protective Order, no opposition, and the record herein, it is, this 28th day of March
28

1 2019;

2 ORDERED, that the Parties Joint Motion to Amend July 8, 2018
3 Protective Order is hereby **GRANTED**;

4 ORDERED, that the July 8, 2018 Protective Order, and the terms and
5 conditions governing the production of confidential materials and information set out
6 in that document, shall equally apply to the Parties for purposes of facilitating and
7 implementing the Court's November 15, 2018 Order Certifying the Settlement
8 Classes and Granting Final Approval of Class Action Settlement (3:18-cv-428-DMS
9 (S.D. Cal) (ECF 321)), and it is further,

10 ORDERED, that Section I of the July 8, 2018 Protective Order is
11 amended as follows (amended text is in redline):

12 I. Plaintiffs and Defendants (collective, the "Parties") in the above
13 captioned action *Ms. L., et al., v. U.S. Immigration and Customs*
Enforcement, et al., Case No. 3:18-cv-00428-DMS ("Litigation" or
14 "Action") recognize that information about putative or confirmed class
15 members and their children exchanged by the Parties in the Litigation
16 for the purpose of facilitating compliance with the Court's preliminary
17 injunction order and/or implementing the Court's November 15, 2018
Order Certifying the Settlement Classes and Granting Final Approval of
Class Action Settlement (3:18-cv-428-DMS (S.D. Cal) (ECF 321)) may
18 include private information related to individuals in the custody and care
19 of the United States Government and that such materials may
20 reasonably, in good faith, be confidential and protected from disclosure
21 to the public or to one or more of the Parties under Rule 26(c) of the
22 Federal Rules of Civil Procedure.

23 ORDERED, that Paragraph 1 of the July 8, 2018 Protective Order is
24 amended as follows (amended text is in redline):

1. Scope. The following terms govern with respect to class information exchanged by the Parties in the Litigation for the purpose of facilitating compliance with the Court’s preliminary injunction order and/or implementing the Court’s November 15, 2018 Order Certifying the Settlement Classes and Granting Final Approval of Class Action Settlement (3:18-cv-428-DMS (S.D. Cal) (ECF 321)) (collectively “Protected Material”).

ORDERED, that Section 6(j) of the July 8, 2018 Protective Order is amended as follows (amended text is in redline):

6. Access to Protected Material. . .

j. Any individuals or persons who Class Counsel designates for the purpose of facilitating the reunification of Class Members and their children and/or implementing the Court's November 15, 2018 Order Certifying the Settlement Classes and Granting Final Approval of Class Action Settlement (3:18-cv-428-DMS (S.D. Cal) (ECF 321)), including (but not limited to) nonprofit organizations, lawyers, faith-based groups, shelters, or any other organization or individuals who may be able to assist in ~~the~~reunification process. Given the urgency of the deadlines in the Court's preliminary injunction order, the individuals or persons described in this paragraph may receive a limited set of PROTECTED MATERIAL as follows prior to executing Exhibit A, the Acknowledgment, as long as the information is treated as protected under this Order, and an Acknowledgment is signed within a reasonable time thereafter. Information which may be shared for the purpose of facilitating the reunification of Class Members and their children and/or implementing the Court's November 15, 2018 Order Certifying the Settlement Classes and Granting Final Approval of Class Action Settlement (3:18-cv-428-DMS (S.D. Cal) (ECF 321)) includes Class Members' names and the name(s) of the class member's child(ren); Alien Number for the Class Member and his or her child(ren); detention location or other location information regarding the Class Member and his or her child(ren). The individuals or persons described in this paragraph may receive any additional PROTECTED MATERIAL necessary to assist in facilitating reunification and/or implementing the Court's November 15, 2018 Order Certifying the Settlement Classes and Granting Final Approval of Class Action Settlement (3:18-cv-428-DMS (S.D. Cal) (ECF 321)) related to the class member(s) they are serving or being consulted to serve after signing the Acknowledgment.

1 The individual or organization may not receive information about any
2 other class members.

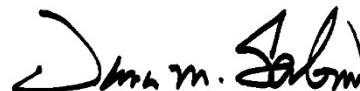
3 ORDERED, that Paragraph 13 of the July 8, 2018 Protective Order is amended
4 as follows (amended text is in redline):
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6 **13. This Order Only Applies To The Exchange of Information
7 About Putative or Confirmed Class Members and Their Children
8 For The Purpose Of Facilitating Compliance With The Court's
9 Preliminary Injunction Order and/or implementing the Court's
10 November 15, 2018 Order Certifying the Settlement Classes and
11 Granting Final Approval of Class Action Settlement (3:18-cv-428-
12 DMS (S.D. Cal) (ECF 321)). Nothing contained in this Order shall
13 restrict or limit any Party's right to present Protected Material to the
14 Court during a trial in the Action. The use of Protected Material at trial
15 shall be governed by the pretrial order.**

16 ORDERED, that any exchange or dissemination of confidential
17 materials and information are subject to the conditions set forth in the July 8, 2018
18 Protective Order, inclusive of the new amended terms/provisions relating to the
19 Protective Order's broader scope and applicability as a result of the Court's
20 November 15, 2018 Class Action Settlement. This Order shall be construed as a
21 lawful order pursuant to the Privacy Act permitting release consistent with the terms
22 of this Order.

23 IT IS SO ORDERED

24 Dated: March 28, 2019



25 Hon. Dana M. Sabraw
26 United States District Judge
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